REMARKS

Claims 1-10 remain pending in the present application. Claims 1, 3-5 and 7 have been amended. Claims 8-10 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claim 7 is rejected under 35 U.S.C. § 102(b) as being anticipated by DE (3 212 913) (Applicant's IDS reference). Applicants respectfully traverse this rejection. Claim 7 has been amended to define a coolant inlet for each casing is disposed adjacent the inlet end of the exhaust gas passages and a coolant outlet for each casing is disposed adjacent the outlet side of the exhaust gas passages. Thus, the coolant and the exhaust gas flow in the same direction.

DE 3 212 913 discloses in Figure 5, a pair of coolant inlets 33, 34 located on the left end and a pair of coolant outlets 35, 36 located at the right end. Housings 43, 44 and 45 connect the right ends of the two heat exchangers such that they are connected in series. Thus, exhaust gas flows from the left to the right in the lower heat exchanger and from right to left in the upper heat exchanger. This provides for the coolant and exhaust gas to flow in the same direction in the lower heat exchanger but the coolant and the exhaust gas flow in opposite directions in the upper heat exchanger. The present invention has the heat exchangers connected in parallel and thus the coolant and exhaust gas flow are in the same direction for both heat exchangers.

Thus, Applicants believe Claim 7, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DE (3 212 913) in view of Japanese Patent (11-237192) (Applicant's IDS reference). Claim 1 has been amended in a manner similar to Claim 7 where the coolant flow and the exhaust gas flow in the heat exchangers is in the same direction. Thus, the above discussion regarding DE 3 212 913 applies here also.

JP 11-237192 discloses a tubular body 5 which houses all of the heat exchanging tubes 7. A partition 8 is arranged to define a U-turn cooling water channel. As illustrated in Figure 1, both the inlet and the outlet of the coolant is located on the left side of the heat exchanger and thus the coolant flow is the same direction as the exhaust in the upper portion but it is opposite flow in the lower portion. While Figure 5 illustrates a coolant inlet and a coolant outlet at opposite ends, JP 11-237192 does not disclose, teach or suggest having at least two casings where each casing having a coolant inlet and a coolant outlet because JP 11-237192 teaches a single casing having a coolant inlet and a coolant outlet.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-6, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

New Claims

New Claims 8-10 each define the bypass coolant outlet. Claims 8 and 9 depend from Claims 1 and 7, respectively. Claim 10 is a new independent claim.

Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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